

DRAFT MINUTES
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY JUNE 04, 2015
6:30 PM

Because All Commission meetings will end at 9 PM, any remaining agenda items will be heard at the next Commission meeting.

1. Call to Order

The meeting was called to order at 6:29 PM by Chairman Davis.

2. Roll Call

Chairman Davis, Vice Chairman Freeman, as well as Commissioners Parrish, Norton, Blue and Burnside are present. Commissioner Hisrich is absent.

Also present is Community Development Director Michael Jenkins, Assistant Planner Jenna Owens, Building Official Robert Foreman, and Recording Secretary Kendall Welch.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Norton.

4. Consent Agenda - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.

a. Approval of Minutes:
No minutes for approval

b. Set Next Meeting, Date and Time:
June 11, 2015 – General Plan Work Session

A motion was made by Commissioner Burnside to approve the consent agenda. The motion was seconded by Commissioner Norton. All are in favor, motion passes unanimously.

5. Call to the Public for Items not on the Agenda

(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date.)

Assistant Planner Jenna Owens gave a brief presentation regarding a plaque that was donated to the Town of Camp Verde at last night's Town Council Meeting. The plaque contains a hand painted spider from the movie "Kingdom of the Spiders" that was filmed in Camp Verde approximately 38 years ago (1977). Owens explained that she had saved the spider approximately one year ago from a building located behind Town Hall that was being demolished, and that to her knowledge it is the last one in existence. Owens explained through donated time and effort, staff members Kendall Welch, Mike Dumas, and Dave Russell were successfully able to preserve the hand painted spider. Owens also stated that she was successfully able to have the plaque signed by Mr. William Shatner. Owens concluded the presentation by stating the plaque will proudly be displayed at Town Hall, most likely in the Town Clerk's Office for all of Camp Verde to admire.

Tom Pitts, a resident of Camp Verde, shared with the Commission that he will be taking a seat on the Board of Directors for the Arizona Association for Economic Development (AAED) at a retreat being held later this month. Pitts also stated that he has been asked to chair the Rural Economic Development Committee for the State of Arizona, where he hopes to help organize rural economic development events all over the state including Camp Verde. In addition, Pitts also stated that he is a member of two Governor's Committees, the Sector Strategy Committee and Strategic Partnership Committee. Pitts gave the Commission a brief update on the Strategic Partnership

Committee which is a committee that is currently working on developing various work force strategies across a variety of governmental agencies and platforms.

Agenda Item 5, Call to the Public for Items not on the Agenda, was closed at 6:38 PM.

6. Public Hearing, Discussion and possible Recommendation for approval (or denial) to Council on Use Permit 20150131, an application submitted by Ms. Brenda Ayers owner of parcel 404-18-167, which is 2.5 acres. The property owner is requesting a Use Permit to operate a Bed & Breakfast in a residential neighborhood zoned R1-70 (residential: single-family). A Bed & Breakfast is an allowed use under the Planning & Zoning Ordinance with a Use Permit, limited to four bedrooms. The property is located at 1512 N. Montezuma Heights Rd.

A motion by Commissioner Norton, seconded by Commissioner Blue, to recommend for approval to Council on Use Permit 20150131, an application submitted by Ms. Brenda Ayers owner of parcel 404-18-167, located at 1512 N. Montezuma Heights Rd, which is 2.5 acres, for a Use Permit to operate a Bed & Breakfast in a residential neighborhood zoned R1-70 (residential single-family). The Use Permit would comply with the Planning & Zoning Ordinance, limited to four bedrooms and must conform to the parking regulations in Part 4, Section 403. We further recommend that the duration of stay for Bed & Breakfast customers would be for no more than 30 days, and that the duration of the Use Permit be limited to a period of 5 years. The motion passed unanimously.

Chairman Davis, Vice Chairman Freeman, Commissioners Norton, Blue and Burnside are all in favor. Motion passes.

At 6:39 PM Commissioner Parrish recused himself from this agenda item due to a conflict of interest. Assistant Planner Jenna Owens confirmed to the Commission that Commissioner Parrish had indeed filed a formal recusal letter. Commissioner Parrish left the meeting to wait outside and was not present in Council Chambers while this item was heard.

Assistant Planner Jenna Owens gave the staff presentation on this agenda item. Owens stated that the intent of this application is to obtain a Use Permit for the applicant to rent out her two cabins located on her property as a Bed & Breakfast. Owens stated that the applicant mailed out letters to the neighboring property owners within three hundred feet of the property and confirmed that a neighborhood meeting was held on May 13, 2015 from 5:30-6:30 PM, with a total of eight neighbors in attendance. Owens stated that the Community Development Department received a total of five letters from Ms. Ayer's neighbors, four in support of the Use Permit, and one against. Owens added that in addition to those letters, two additional letters were received in support of the Use Permit. Owens confirmed that staff mailed out fourteen letters to properties within three hundred feet of the subject parcel on May 14, 2015 which advised the property owners of the Planning & Zoning Commission and Town Council meeting times and dates. Owens stated that she had received various agency comments regarding this Use Permit application, the most notable of which was from the Town's Building Official, Robert Foreman. Foreman's written comments stated that since no record was found indicating the construction of the cabins, their suitability for habitation could not be vouched for, therefore the cabins are not to be occupied until they are brought up to meet the intent of current building codes.

Chairman Davis asked Owens for staff's recommendation. Owens stated that staff is recommending approval of the submitted Use Permit for a period of five years.

The Public Hearing was declared open at 6:43 PM.

Applicant Brenda Ayers made a statement to the Commission at 6:44 PM. Ayers stated that she has been the property owner since 2008, and has been a Camp Verde resident for the past two years. Ayers stated that she has a motel/hotel degree and that this is her second Bed & Breakfast project – the first of which was located in the State of New York.

Chairman Davis asked Ayers if her business is a seasonal one or year round. Ayers replied that her high season is usually around February, and that her cabins are primarily used by couples who want to enjoy a peaceful setting. Ayers also added that she lives on premise and can monitor activity closely.

Pamela Bridgnell, a local business owner, spoke in favor of the Use Permit at 6:47 PM. Bridgnell has been a Camp Verde resident for approximately eleven years. Bridgnell stated that Ayers Bed & Breakfast is a fantastic idea and feels that it is just the type of project that Camp Verde needs, as

it speaks to the small town atmosphere. Bridgnell also added that as a small business owner she appreciated the referral and cliental aspect of Ayers business model.

Tom Pitts, a Camp Verde resident, spoke in favor of the Use Permit at 6:49 PM and reiterated Bridgnell's comment about Ayers Bed & Breakfast being the type of project Camp Verde needs. Pitts mentioned a Geo-tourism project he felt this project would be great for, and added that he would provide additional information to Ayers.

Deborah Allen, friend of Ayers, spoke in favor of the Use Permit at 6:50 PM. Allen's daughter volunteers and helps care for the animals on Ayers's property. Allen commented that the property is kept in an immaculate condition and added that Ayers takes an immense amount of pride in her business. Allen stated Ayers is a "breath of fresh air" for the neighborhood.

Brenda Powell, neighbor of Ayers, spoke in favor of the Use Permit at 6:52 PM. Powell stated that like Ayers, she too has made a sizeable investment in her property. Powell felt that she could speak for the entire neighborhood by stating that Ayer's property is the best thing that could have happened to the area.

No applicant rebuttal was necessary, therefor the Public Hearing was declared closed at 6:54 PM.

Commissioner Blue expressed concerns about the building safety aspect of the project, and asked if the cabins both contained a full kitchen. Building Official Robert Foreman stated that upon inspection there currently is a full kitchen in both units, however the stoves will need to be removed, as no cooking facilities will be allowed. Commissioner Blue recommended a time limit be placed on the length of stay to a period of no longer than thirty days. Blue also recommended the cabins both be brought up to the 2012 Building Codes before they are occupied as a condition of the Use Permit.

Chairman Davis asked Building Official Robert Foreman for clarification on the types of upgrades needed prior to Certificates of Occupancy being issued. Foreman stated that Yavapai County's effective constructed date on the main house is 1974 and the construction date of the cabins is unknown, and that basic life safety items such as GFCI and arc-fault outlets, smoke detectors, carbon monoxide alarms, etc. will be required. Foreman added that he has walked the property with the owner, and her contractor, and that he felt confident that the intent of the 2012 Building Codes could be met. Chairman Davis asked if there were any major life safety issues of concern such as required emergency egress windows. Foreman stated that there were not any issues with required emergency egress windows.

Commissioner Burnside stated that he would like to address staff with a comment. Burnside asked Building Official Robert Foreman if he could revise his statement provided in the staff report to read "However, the Building Official, Contractor and owner walked the property and inspected the buildings and if certain work is completed the buildings WILL MEET the intent of the Codes in regards to an R3 occupancy. Foreman agreed to the change, but also clarified that the cabins likely will not meet every single aspect of the 2012 Building Codes and that his primary concern and focus is making sure the life safety aspects and intent of the codes have been met.

Commissioner Burnside then asked staff if there was a time limitation in regards to length of guest stay in the codes for a Bed & Breakfast use. Community Development Director Michael Jenkins confirmed that there is no time limitation stated in the code. Commissioner Burnside commented if that was indeed the case, then he would have to respectfully disagree with Commissioner Blue on his previous recommendation. Burnside further stated that he felt the cabins should be excluded all together from the Use Permit as the Use Permit is based on the use of the property, not on the use of the property's buildings. Burnside recommended that the Commission exclude the second paragraph of the recommended motion as he felt that it was "null and void".

Commissioner Norton stated that he had made a site visit to the property and added that it was a refreshing experience. Norton asked for clarification about the complaint letter, and if anything further needed to be done with it. Community Development Director Michael Jenkins stated that if any changes occur to the property the Use Permit will need to be updated. Jenkins also added that the health, safety and welfare stipulations could be added to the Use Permit in order to protect the citizens. Chairman Davis asked for clarification on the property setbacks as they were part of the complaint letter. Jenkins responded that the buildings are already in existence, and that Ayers cannot be penalized as a subsequent property owner.

Chairman Davis expressed an interest in placing a time limit on the length of stay of guests. Ayers commented that the length of stay is short term only. Commissioner Burnside commented that he would not be in favor of a length of stay condition placed on the Use Permit. Commissioner Norton asked for clarification on the code not having a time limit placed on Bed & Breakfasts. Assistant Planner Jenna Owens read aloud the definition of Bed & Breakfast out of the current Planning & Zoning Ordinance for clarification. Community Development Michael Jenkins spoke about unenforceable ordinances, and added that staff does not have a preference on a time limit stipulation as any complaints they receive will be handled through Code Enforcement.

Chairman Davis stated that he agreed with Commissioner Burnside to remove the building stipulations as there are other procedures in place to handle the Certificate of Occupancy requirements. Commissioner Blue stated that he would still like to see a time limit placed on length of stay to keep the property from potentially turning into long term apartment rentals or multi-family units, which neighbors might have different feelings and concerns about.

At 7:15 PM a motion was made by Commissioner Norton to recommend for approval to Council on Use Permit 20150131, an application submitted by Ms. Brenda Ayers owner of parcel 404-18-167, located at 1512 N. Montezuma Heights Rd, which is 2.5 acres, for a Use Permit to operate a Bed & Breakfast in a residential neighborhood zoned R1-70 (residential single-family). The Use Permit would comply with the Planning & Zoning Ordinance, limited to four bedrooms and must conform to the parking regulations in Part 4, Section 403. We further recommend that the duration of stay for Bed & Breakfast customers would be for no more than 30 days, and that the duration of the Use Permit be limited to a period of 5 years. The motion was seconded by Commissioner Blue.

Commissioner Parrish returned to the meeting at 7:17 PM.

7. Public Hearing, Discussion and possible Recommendation to Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 2, Section 203 (Use Districts) item D., RR (Residential-Rural) adding use to item (3) uses and structures subject to use permit. The use added is "Agri-Tourism".

A motion by Commissioner Norton, seconded by Vice Chairman Freeman, to recommend to Council, for approval, a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 2, Section 203, (Use Districts) item D, RR (Residential-Rural) adding use to item (3) Uses and Structures subject to Use Permit. The Use added is "Agri-Tourism". Excluding items "G" through "L" in the Staff Report. The motion passes unanimously.

Chairman Davis abstains from voting due to a potential future conflict of interest.

Vice Chairman Freeman, Commissioners Parrish, Norton, Blue, and Burnside are in favor. Motion passes.

Community Development Director Michael Jenkins gave the staff presentation on this agenda item. Jenkins stated that currently agri-tourism is only available in the agricultural zoning district, which requires a minimum of five acres of land. Jenkins stated that it recently has been brought to his attention the need for the agri-tourism designation to be available in a zoning district that has a smaller acre of land requirement, RR (residential-rural) so that smaller wineries and other similar types of operations may take advantage of the agri-tourism designation.

The Public Hearing was declared open at 7:21 PM.

Tom Pitts, a Camp Verde resident, spoke in favor of the Text Amendment at 7:22 PM. Pitts stated that there are a number of small wineries in the Camp Verde area that he has been working with that have been looking for ways to expand their operation. Pitts added that this is the type of business (wineries) we all would like to encourage in the area and that this proposed text amendment will help do that.

The Public Hearing was declared closed at 7:25 PM.

Commissioner Blue asked if applicants could use this designation for livestock and products associated with livestock. Commissioner Norton also asked for clarification on the definition of agri-tourism. Community Development Director Michael Jenkins gave a brief clarification on State Statutes and exemptions to help clarify the subject matter.

Commissioner Burnside asked for clarification on the acreage relative to the proposed text amendment. Community Development Director Michael Jenkins clarified that the text amendment will make it possible for applicants to obtain an agri-tourism designation on properties sized between two and five acres. Burnside expressed a concern with additional housing units or temporary facilities being added to properties sized at two acres. Chairman Davis clarified that the proposed text amendment only adds item F 1-5 in the staff report, and that the remaining items already exist in the code. Jenkins agreed with Davis and added that Use Permits are site plan specific, and that the Commission always has the right to turn down an applicant's proposal. Burnside clarified his initial question for the Commission. Jenkins corrected his initial response, as the items in question (G-L) are not existing and were brought over from the agricultural zoning district.

After further confusion, clarification and discussion of items G-L, and their potential impacts on a property sized at the two acre minimum Commission Freeman recommended the removal of everything below item F5 in the staff report.

At 7:59 PM a motion was made by Commissioner Norton to recommend to Council, for approval, a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 2, Section 203, (Use Districts) item D, RR (Residential-Rural) adding use to item (3) Uses and Structures subject to Use Permit. The Use added is "Agri-Tourism". Excluding items "G" through "L" in the Staff Report. The motion was seconded by Vice Chairman Freeman.

Chairman Davis abstains from voting due to a potential future conflict of interest, as he may choose to subdivide his property at a later date.

8. Public Hearing, Discussion and possible Recommendation to Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 2, Section 203 (Use Districts) H., C3 District (Commercial: heavy commercial), I. PM (Performance Industrial), J. M1 District (Industrial: General) and K. M2 (Industrial: Heavy) to allow for Automobile Repair (Heavy). Adding a definition for Automobile Repair (Heavy) to Part 1, Section 103 Definition of Terms.

A motion by Commissioner Norton, seconded by Commissioner Burnside, recommending to Council, for approval, a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 2, Section 203, (Use Districts) H., C3 District (Commercial: heavy commercial), I. PM (Performance Industrial), J. M1 (Industrial: General) and K. M2 (Industrial: Heavy) to allow for Automobile Repair (Heavy). Adding a definition for Automobile Repair (Heavy) to Part 1, Section 103 Definition of Terms. Motion passed unanimously.

Chairman Davis, Vice Chairman Freeman, Commissioners Parrish, Norton, Blue and Burnside are all in favor. Motion passes unanimously.

Community Development Director Michael Jenkins gave the staff report on this agenda item. Jenkins stated that a former Planning and Zoning Commissioner, Hough, had brought to light the need for the definition of automobile repair (heavy) as none exists in the current Planning & Zoning Ordinance.

The Public Hearing was declared open at 8:04 PM.

Hearing no comments, the Public Hearing was declared closed at 8:04 PM.

Commissioner Burnside stated that he disagreed with the statement regarding the drainage and dumping of oil as there are already other policies in place to cover it. Burnside also questioned the need for the hours of operations limitations in regards to residentially zoned property. Community Development Director Michael Jenkins clarified that caretakers on commercial property are considered commercial and not a residential use. Chairman Davis asked if staff felt three hundred feet was enough distance. Jenkins stated he felt the three hundred feet was enough distance, as the current Planning & Zoning Ordinance has already established the three hundred feet in other zoning districts.

Chairman Davis asked staff if this text amendment does anything for body and fender repair shops. Jenkins replied that this proposed text amendment does not impact or change body and fender repair shops. Davis also asked if the statement regarding the dumping of oil was needed. Jenkins commented that this statement also appears in Town Code under Nuisances.

Commissioner Burnside clarified with the Commission the reasoning and history behind the light automobile repair definition which helped to clarify the need for heavy automobile repair definition.

At 8:14 PM a motion was made by Commissioner Norton, recommending to Council, for approval, a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 2, Section 203, (Use Districts) H., C3 District (Commercial: heavy commercial), I. PM (Performance Industrial), J. M1 (Industrial: General) and K. M2 (Industrial: Heavy) to allow for Automobile Repair (Heavy). Adding a definition for Automobile Repair (Heavy) to Part 1, Section 103 Definition of Terms. The motion was seconded by Commissioner Burnside.

9. Public Hearing, Discussion and possible Recommendation to Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 3, Section 306 Mobile/Manufactured Home Parks.

- **Changing B.1.b.4 from the current language from “Building Department” to Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing.**
- **Changing B.2.c from “Town of Camp Verde” (wording located two times in the paragraph) to Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing. Changing sentence “Arizona Department of Manufactured Housing” to Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing.**

A motion by Vice Chairman Freeman, seconded by Commissioner Parrish, to recommend to Council, for approval, a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 3, Section 306, Mobile/Manufactured Home Parks. Changing B.1.b.4 from the current language from the “Building Department” to “Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing.” Changing B.2.c from “Town of Camp Verde” (wording located two times in the paragraph) to “Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing.” Motion passed unanimously.

Community Development Michael Jenkins asked Building Official Robert Foreman to give the staff presentation on this agenda item. Building Official Robert Foreman gave a brief history on the Arizona Department of Fire Building and Life Safety, Office of Manufactured Housing and recent procedural changes regarding rehabilitation of mobile homes. Foreman stated that the Arizona Department of Fire Building and Life Safety, Office of Manufactured Housing now handles all mobile home rehabilitation inspections and certifications, this item is no longer handled by the Building Department.

The Public Hearing was declared open at 8:17 PM.

Hearing no comments the Public Hearing was closed at 8:17 PM.

Chairman Davis asked if this procedural change was a feasible change, if there would be any negative impacts to the citizens of Camp Verde. Commissioner Burnside also asked if this change impacted the Intergovernmental Agreement with the Office of Manufactured Housing. Building Official Robert Foreman stated that the Office of Manufactured Housing will provide all of the inspections for the mobile home rehabilitations as well as rehabilitation certifications. Foreman also stated the current IGA does not grant authority to the Building Department to perform the mobile home rehabilitations or inspections.

At 8:20 PM a motion was made by Vice Chairman Freeman to recommend to Council, for approval, a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance under Part 3, Section 306, Mobile/Manufactured Home Parks. Changing B.1.b.4 from the current language from the “Building Department” to “Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing.” Changing B.2.c from “Town of Camp Verde” (wording located two times in the paragraph) to “Arizona Department of Fire, Building and Life Safety, Office of Manufactured Housing.” The motion was seconded by Commissioner Parrish.

There will be no Public input on the following items:

- 10. Commission Informational Reports:** Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities.

The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.

There were no Commission Informational Reports.

11. Staff Comments

There were no Staff Comments.

12. Adjournment

A motion by Commissioner Blue, seconded by Commissioner Burnside, the Commission unanimously voted to adjourn the meeting at 8:22 PM.

BJ Davis – Planning & Zoning Chairman

Date:

Michael Jenkins – Community Development Director

Date:

CERTIFICATION I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 4th day of June, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9th day of June, 2015.

Kendall Welch – Recording Secretary

Date: